

WILLIAM J. PORTANOVA, SBN: 106193
Portanova & Associates
400 Capitol Mall, Suite 1100
Sacramento, CA 95814
Telephone: (916) 444-7900
Fax: (916) 444-7998
Wjp@Portanova.com

Attorney for Defendant
ROBERT KIRBY WELLS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT KIRBY WELLS,

Defendant.

Case No. 2:21-cr-0164-WBS

**STIPULATION TO CONTINUE STATUS
CONFERENCE AND EXCLUDE TIME
UNDER THE SPEEDY TRIAL ACT;
FINDINGS AND ORDER**

DATE: January 31, 2022
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

Defendant, ROBERT KIRBY WELLS, by and through his
undersigned counsel, and Plaintiff United States of America, by
and through its undersigned counsel, hereby stipulate as follows:

1. By previous order, this matter was set for status on
January 31, 2022, and time was excluded through January 31, 2022
pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(iv) (Local Code T4).

2. By this stipulation, the parties jointly request that
the Court continue the status conference to April 11, 2022, at
9:00 a.m. The parties further request that the Court exclude
time under the Speedy Trial Act from January 31, 2022, through
April 11, 2022, pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(iv)

1 (Local Code T4).

2 3. The parties stipulate, and request the Court find the
3 following:

4 a) As of now, defense counsel has received 131,749
5 pages of discovery that include, among other things,
6 investigative reports, financial records, and other business
7 records, as well as the contents of two email accounts.

8 b) Counsel for defendant, ROBERT KIRBY WELLS,
9 believes that failure to grant the above-requested continuance
10 would deny counsel the reasonable time necessary for effective
11 preparation, taking into account the exercise of due diligence.

12 c) The government does not object to the continuance.

13 d) Based on the above stated findings, the ends of
14 justice served by continuing the case outweigh the interest of
15 the public and the defendant in a trial within the original date
16 prescribed by the Speedy Trial Act.

17 e) For the purpose of computing time under the Speedy
18 Trial Act, 18 U.S.C. § 3161, et. seq., within which trial must
19 commence, the time period of January 31, 2022, up to and
20 including, April 11, 2022, is deemed excludable under 18 U.S.C. §
21 3161(h)(7)(A), (B)(iv) (Local Code T4), as it results from a
22 continuance granted by the Court at the defendant's request on
23 the basis of the Court's finding that the ends of justice served
24 by taking such action outweigh the best interest of the public
25 and defendant in a speedy trial.

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1 IT IS SO STIPULATED.

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3 DATED: January 26, 2022

Respectfully submitted,

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6 /s/ William J. Portanova
WILLIAM J. PORTANOVA

7 Attorney for Defendant
8 ROBERT KIRBY WELLS

9
10 DATED: January 26, 2022

PHILLIP A. TALBERT
Acting United States Attorney


11
12 /s/ Matthew Thuesen

13 MATTHEW THUESEN
14 Assistant United States Attorney

15 **FINDINGS AND ORDER**

16 IT IS SO FOUND AND ORDERED.

17 Dated: January 26, 2022

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19 WILLIAM B. SHUBB
20 UNITED STATES DISTRICT JUDGE
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